IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO.4960 of 1996

Between:

Gojra Appalanaidu, S/o.Appalaswamy, 39 years,
r/o. K. Kotapadu, Visakhapatnam District.

...PETITIONER

AND

1. Director of Higher Education, Government of A.P., Hyderabad.
2. The A.M.A.L.College, rep.by its Special officer, Anakapalli, Visakpahatnam District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any writ, order or direction particularly one in the nature of MANDAMUS directing the respondents to treat the Petitioner as regularly appointed lecturer in Economics by reengaging his services and also pay the salary admissible to the said post with effect from the date of initial engagement and extend all the benefits that are extended to the similarly and extent all the benefits that are extended to the similarly placed persons including seniority etc.

Counsel for the Petitioner: DR.P.B.VIJAY KUMAR

Counsel for the Respondents: MR.P.SRI RAGHU RAM

The Court made the following:

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO.4960 of 1996

ORDER:

Heard both sides.

The petitioner herein filed this Writ Petition *inter alia* seeking a writ of mandamus to treat the petitioner as regularly appointed lecturer in Economics by re-engaging his services and also pay the salary admissible to the said post etc.

The case of the petitioner in brief is that in response to an advertisement given in the year 1981, the petitioner applied for it and subsequently after the interview, he was selected and since then, he has been working in service. Further, in spite of filing of an earlier Writ Petition along with similar object, the respondents were not considering his case and hence, he filed the present Writ Petition.

In the counter-affidavit filed by the respondent, it is submitted that the petitioner was only appointed as a part-time lecturer in Economics, that too purely on adhoc basis

and on payment of remuneration on hourly basis. His services can be terminated at any time and the appointment does not confer any right whatsoever on the petitioner for absorption or continuance. Therefore, there is no right to the petitioner to seek any permanent indulgence from this Court. Further, he stopped attending the college from 01.04.1987 onwards. Hence, no relief as such can be given and the Writ Petition is liable to be dismissed.

On considering the submissions made and also on perusal of the material on record, it is observed that the petitioner's appointment is purely on adhoc basis and he cannot seek relief as such. Further, the learned counsel for the petitioner has submitted across the bars that the petitioner has filed various representations, which include remainders dated 03.11.1989, 13.03.1990, 03.12.1990 and 29.07.1991 for considering his case more sympathetically. However, the same were remained inconsistent.

In the circumstances, the Writ Petition is disposed of, directing the respondents to consider the representations filed by the petitioner and pass appropriate orders after giving due notice to him.

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(B.PRAKASH RAO, J)

29th November 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Director of Higher Education, Government of A.P., Hyderabad.
2. The Special Officer, A.M.A.L.College, Anakapalli, Visakpahatnam District.
3. Two CD copies.